



General Assembly

January Session, 2015

Raised Bill No. 1072

LCO No. 4554



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING PUBLIC SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21-46a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 Whenever property is seized from the place of business of a
4 pawnbroker by a law enforcement officer, such officer shall give the
5 pawnbroker a duly signed receipt for the property containing a case
6 number, a description of the property, the reason for the seizure, the
7 name and address of the officer, the name and address of the person
8 claiming a right to the property prior to the pawnbroker and the name
9 of the pawnbroker. If the pawnbroker claims an ownership interest in
10 such property, he or she may request the return of such property by
11 filing a request for such property with the law enforcement agency in
12 accordance with the provisions of section 54-36a. If the person who
13 deposited, pledged or sold any property received by a pawnbroker is
14 convicted of any offense arising out of such pawnbroker's acquisition,
15 retention or disposition of the property and such pawnbroker suffered
16 an economic loss as a result of such offense, the court, at the time of

17 sentencing, [may] shall order restitution to such pawnbroker pursuant
18 to subsection (c) of section 53a-28 and such order may be enforced in
19 accordance with section 53a-28a.

20 Sec. 2. Subsection (f) of section 21-47e of the general statutes is
21 repealed and the following is substituted in lieu thereof (*Effective*
22 *October 1, 2015*):

23 (f) Any secondhand dealer who was licensed in any city or town as
24 a pawnbroker pursuant to section 21-40 on March 31, 2011, and who
25 continues to hold such license, may pay for property received
26 pursuant to a secondhand dealer license issued in accordance with
27 section 21-47d in the manner authorized under section 21-42, [until
28 July 1, 2021,] provided such secondhand dealer complies with all other
29 provisions of this section relating to secondhand dealers.

30 Sec. 3. Subsection (j) of section 21-47e of the general statutes is
31 repealed and the following is substituted in lieu thereof (*Effective*
32 *October 1, 2015*):

33 (j) Whenever property is seized from the place of business of a
34 secondhand dealer by a law enforcement officer, such officer shall give
35 such secondhand dealer a duly signed receipt for the property
36 containing a case number, a description of the property, the reason for
37 the seizure, the name and address of the officer, the name and address
38 of the person claiming a right to the property prior to the secondhand
39 dealer and the name of the secondhand dealer. If the secondhand
40 dealer claims an ownership interest in such property, such secondhand
41 dealer may request the return of such property by filing a request for
42 such property with the law enforcement agency in accordance with the
43 provisions of section 54-36a. If the seller of any property purchased by
44 a secondhand dealer is convicted of any offense arising out of such
45 secondhand dealer's acquisition of the property and the secondhand
46 dealer suffered an economic loss as a result of such offense, the court
47 [may] shall, at the time of sentencing, order restitution to the

48 secondhand dealer pursuant to subsection (c) of section 53a-28, which
49 order may be enforced in accordance with section 53a-28a.

50 Sec. 4. Subsection (i) of section 21-100 of the general statutes is
51 repealed and the following is substituted in lieu thereof (*Effective*
52 *October 1, 2015*):

53 (i) Any precious metals or stones dealer who was licensed in any
54 city or town as a pawnbroker pursuant to section 21-40 on March 31,
55 2011, and who continues to hold such license, may pay for property
56 received pursuant to a precious metals or stones dealer license issued
57 in accordance with this section in the manner authorized under section
58 21-42, [until July 1, 2021,] provided such precious metals or stones
59 dealer complies with all other provisions of this section relating to
60 precious metals or stones dealers.

61 Sec. 5. Subsection (m) of section 21-100 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective*
63 *October 1, 2015*):

64 (m) Whenever property is seized from the place of business of a
65 precious metals or stones dealer by a law enforcement officer, the
66 officer shall give the dealer a duly signed receipt for the property
67 containing a case number, a description of the property, the reason for
68 the seizure, the name and address of the officer, the name and address
69 of the person claiming a right to the property prior to the dealer and
70 the name of the dealer. If the dealer claims an ownership interest in
71 such property, the dealer may request the return of such property by
72 filing a request for such property with the law enforcement agency in
73 accordance with the provisions of section 54-36a. If the seller of any
74 property purchased by the dealer is convicted of any offense arising
75 out of the dealer's acquisition of the property and the dealer suffered
76 an economic loss as a result of such offense, the court [may] shall, at
77 the time of sentencing, order restitution to the dealer pursuant to
78 subsection (c) of section 53a-28, which order may be enforced in

79 accordance with section 53a-28a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	21-46a
Sec. 2	<i>October 1, 2015</i>	21-47e(f)
Sec. 3	<i>October 1, 2015</i>	21-47e(j)
Sec. 4	<i>October 1, 2015</i>	21-100(i)
Sec. 5	<i>October 1, 2015</i>	21-100(m)

Statement of Purpose:

To require the court to order restitution to a pawnbroker, secondhand dealer and precious metals and stones dealer under certain circumstances and allow previously licensed secondhand dealers and precious metals and stones dealers to pay cash for any property received pursuant to such licenses.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]